

1 AN ACT concerning dietetic and nutrition services.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Regulatory Sunset Act is amended by  
5 changing Section 4.13 and adding Section 4.23 as follows:

6 (5 ILCS 80/4.13) (from Ch. 127, par. 1904.13)

7 Sec. 4.13. Acts repealed on December 31, 2002. The  
8 following Acts are repealed on December 31, 2002:

9 The Environmental Health Practitioner Licensing Act.

10 The Naprapathic Practice Act.

11 The Wholesale Drug Distribution Licensing Act.

12 ~~The Dietetic and Nutrition Practice Act.~~

13 The Funeral Directors and Embalmers Licensing Code.

14 The Professional Counselor and Clinical Professional  
15 Counselor Licensing Act.

16 (Source: P.A. 88-45; 89-61, eff. 6-30-95; revised 8-22-01.)

17 (5 ILCS 80/4.23 new)

18 Sec. 4.23. Act repealed on January 1, 2013. The  
19 following Act is repealed on January 1, 2013:

20 The Dietetic and Nutrition Services Practice Act.

21 Section 10. The Dietetic and Nutrition Services  
22 Practice Act is amended by changing Sections 10, 15, 15.5,  
23 20, 30, 40, 45, 65, 70, 75, 80, and 95 and adding Section 56  
24 as follows:

25 (225 ILCS 30/10) (from Ch. 111, par. 8401-10)

26 (Section scheduled to be repealed on December 31, 2002)

27 Sec. 10. Definitions. As used in this Act:

28 "Board" means the Dietitian Nutritionist ~~Dietetic and~~

1 Nutrition-Services Practice Board appointed by the Director.

2 "Department" means the Department of Professional  
3 Regulation.

4 "Dietetics" means the integration and application of  
5 principles derived from the sciences of food and nutrition to  
6 provide for all aspects of nutrition care for individuals and  
7 groups, including, but not limited to nutrition services and  
8 medical nutrition therapy care as defined in this Act.

9 "Director" means the Director of the Department of  
10 Professional Regulation.

11 ~~"Licensed-dietitian" means a person licensed under  
12 Section 45 of this Act to practice dietetics. Activities of a  
13 licensed dietitian do not include the medical differential  
14 diagnoses of the health status of an individual.~~

15 ~~"Licensed-nutrition-counselor" means a person licensed  
16 under Section 50 of this Act to provide any aspect of  
17 nutrition services as defined in this Act. Activities of a  
18 licensed nutrition counselor do not include medical nutrition  
19 care as defined in this Act or the medical differential  
20 diagnoses of the health status of an individual.~~

21 "Licensed dietitian nutritionist" means a person licensed  
22 under this Act to practice dietetics and nutrition services,  
23 including medical nutrition therapy. Activities of a  
24 licensed dietitian nutritionist do not include the medical  
25 differential diagnosis of the health status of an individual.

26 "Medical nutrition therapy care" means the component of  
27 nutrition care that deals with:

28 (a) interpreting and recommending nutrient needs  
29 relative to medically prescribed diets, including, but  
30 not limited to tube feedings, specialized intravenous  
31 solutions, and specialized oral feedings;

32 (b) food and prescription drug interactions; and

33 (c) developing and managing food service operations  
34 whose chief function is nutrition care and provision of

1 medically prescribed diets.

2 "Medically prescribed diet" means a diet prescribed when  
3 specific food or nutrient levels need to be monitored,  
4 altered, or both as a component of a treatment program for an  
5 individual whose health status is impaired or at risk due to  
6 disease, injury, or surgery and may only be performed as  
7 initiated by or in consultation with a physician licensed to  
8 practice medicine in all of its branches.

9 "Nutrition assessment" means the evaluation of the  
10 nutrition needs of individuals or groups using appropriate  
11 data to determine nutrient needs or status and make  
12 appropriate nutrition recommendations.

13 "Nutrition counseling" means advising and assisting  
14 individuals or groups on appropriate nutrition intake by  
15 integrating information from the nutrition assessment.

16 "Nutrition services for individuals and groups" shall  
17 include, but is not limited to, all of the following;

18 (a) Providing nutrition assessments relative to  
19 preventive maintenance or restorative care.

20 (b) Providing nutrition education and nutrition  
21 counseling as components of preventive maintenance or  
22 restorative care.

23 (c) Developing and managing systems whose chief  
24 function is nutrition care. Nutrition services for  
25 individuals and groups does not include medical nutrition  
26 therapy care as defined in this Act.

27 "Practice experience" means a preprofessional,  
28 documented, supervised practice in dietetics or nutrition  
29 services that is acceptable to the Department in compliance  
30 with requirements for licensure, as specified in Sections 45  
31 and 50. It may be or may include a documented, supervised  
32 practice experience which is a component of the educational  
33 requirements for licensure, as specified in Section 45 or 50.

34 "Registered dietitian" means an individual registered

1 with the Commission on Dietetic Registration, the accrediting  
2 body for the American Dietetic Association.

3 "Restorative" means the component of nutrition care that  
4 deals with oral dietary needs for individuals and groups.  
5 Activities shall relate to the metabolism of food and the  
6 requirements for nutrients, including dietary supplements for  
7 growth, development, maintenance, or attainment of optimal  
8 health.

9 (Source: P.A. 87-784; 87-1000.)

10 (225 ILCS 30/15) (from Ch. 111, par. 8401-15)

11 (Section scheduled to be repealed on December 31, 2002)

12 Sec. 15. License required.

13 (a) No person may engage for remuneration in nutrition  
14 services practice or hold himself or herself out as a  
15 licensed dietitian nutritionist ~~nutrition--counselor~~ unless  
16 the person is licensed in accordance with this Act or meets  
17 one or more of the following criteria:

18 (1) The person is licensed in this State under any  
19 other Act that authorizes the person to provide these  
20 services.

21 (2) The person is licensed to practice nutrition  
22 under the law of another state, territory of the United  
23 States, or country and has applied in writing to the  
24 Department in form and substance satisfactory to the  
25 Department for a license as a dietitian nutritionist  
26 until (i) the expiration of 6 months after filing the  
27 written application, (ii) the withdrawal of the  
28 application, or (iii) the denial of the application by  
29 the Department.

30 (b) No person shall practice dietetics, as defined in  
31 this Act, or hold himself or herself out as a licensed  
32 dietitian nutritionist unless that person is so licensed  
33 under this Act or meets one or more of the following

1 criteria:

2 (1) The person is licensed in this State under any  
3 other Act that authorizes the person to provide these  
4 services.

5 (2) The person is a dietary technical support  
6 person, working in a hospital setting or a regulated  
7 Department of Public Health or Department on Aging  
8 facility or program, who has been trained and is  
9 supervised while engaged in the practice of dietetics by  
10 a licensed dietitian nutritionist in accordance with this  
11 Act and whose services are retained by that facility or  
12 program on a full time or regular, ongoing consultant  
13 basis.

14 (3) The person is a ~~dietitian~~ licensed to practice  
15 dietetics under the law of another state, territory of  
16 the United States, or country, or is a registered  
17 dietitian, who has applied in writing to the Department  
18 in form and substance satisfactory to the Department for  
19 a license as a dietitian nutritionist until (i) the  
20 expiration of 6 months after the filing the written  
21 application, (ii) the withdrawal of the application, or  
22 (iii) the denial of the application by the Department.

23 (c) No person shall practice dietetics or nutrition  
24 services, as defined in this Act, or hold himself or herself  
25 out as a licensed dietitian nutritionist, a dietitian, a  
26 nutritionist, or a nutrition counselor unless the person is  
27 licensed in accordance with this Act.

28 (Source: P.A. 89-474, eff. 6-18-96.)

29 (225 ILCS 30/15.5)

30 (Section scheduled to be repealed on December 31, 2002)

31 Sec. 15.5. Unlicensed practice; violation; civil  
32 penalty.

33 (a) Any person who practices, offers to practice,

1 attempts to practice, or holds oneself out to practice  
 2 dietetics or nutrition services ~~counseling~~ without being  
 3 licensed under this Act shall, in addition to any other  
 4 penalty provided by law, pay a civil penalty to the  
 5 Department in an amount not to exceed \$5,000 for each offense  
 6 as determined by the Department. The civil penalty shall be  
 7 assessed by the Department after a hearing is held in  
 8 accordance with the provisions set forth in this Act  
 9 regarding the provision of a hearing for the discipline of a  
 10 licensee.

11 (b) The Department has the authority and power to  
 12 investigate any and all unlicensed activity.

13 (c) The civil penalty shall be paid within 60 days after  
 14 the effective date of the order imposing the civil penalty.  
 15 The order shall constitute a judgment and may be filed and  
 16 execution had thereon in the same manner as any judgment from  
 17 any court of record.

18 (Source: P.A. 89-474, eff. 6-18-96.)

19 (225 ILCS 30/20) (from Ch. 111, par. 8401-20)

20 (Section scheduled to be repealed on December 31, 2002)

21 Sec. 20. Exemptions. This Act does not prohibit or  
 22 restrict:

23 (a) Any person licensed in this State under any other  
 24 Act from engaging in the practice for which he or she is  
 25 licensed.

26 (b) The practice of dietetics or nutrition services by a  
 27 person who is employed by the United States or State  
 28 government or any of its bureaus, divisions, or agencies  
 29 while in the discharge of the employee's official duties.

30 (c) The practice of nutrition services by a person  
 31 employed as a cooperative extension home economist, to the  
 32 extent the activities are part of his or her employment.

33 (d) The practice of nutrition services or dietetics by a

1 person pursuing a course of study leading to a degree in  
2 dietetics, nutrition or an equivalent major, as authorized by  
3 the Department, from a regionally accredited school or  
4 program, if the activities and services constitute a part of  
5 a supervised course of study and if the person is designated  
6 by a title that clearly indicates the person's status as a  
7 student or trainee.

8 (e) The practice of nutrition services or dietetics by a  
9 person fulfilling the supervised practice experience  
10 component of Sections 45 or 50, if the activities and  
11 services constitute a part of the experience necessary to  
12 meet the requirements of Section 45 or 50.

13 (f) A person from providing oral nutrition information  
14 as an operator or employee of a health food store or business  
15 that sells health products, including dietary supplements,  
16 food, or food materials, or disseminating written nutrition  
17 information in connection with the marketing and distribution  
18 of those products.

19 (g) The practice of nutrition services by an educator  
20 who is in the employ of a nonprofit organization, as  
21 authorized by the Department, a federal state, county, or  
22 municipal agency, or other political subdivision; an  
23 elementary or secondary school; or a regionally accredited  
24 institution of higher education, as long as the activities  
25 and services of the educator are part of his or her  
26 employment.

27 (h) The practice of nutrition services by any person who  
28 provides weight control services, provided the nutrition  
29 program has been reviewed by, consultation is available from,  
30 and no program change can be initiated without prior approval  
31 by an individual licensed under this Act, an individual  
32 licensed to practice dietetics or nutrition services a  
33 ~~dietitian-or-nutrition-counselor-licensed~~ in another state  
34 that has licensure requirements considered by the Department

1 to be at least as stringent as the requirements for licensure  
2 under this Act, or a registered dietitian.

3 (i) The practice of nutrition services or dietetics by  
4 any person with a masters or doctorate degree with a major in  
5 nutrition or equivalent from a regionally accredited school  
6 recognized by the Department for the purpose of education and  
7 research.

8 (j) Any person certified in this State and who is  
9 employed by a facility or program regulated by the State of  
10 Illinois from engaging in the practice for which he or she is  
11 certified and authorized by the Department.

12 (k) The practice of nutrition services by a graduate of  
13 a 2 year associate program or a 4 year baccalaureate program  
14 from a school or program accredited at the time of graduation  
15 by the appropriate accrediting agency recognized by the  
16 Council on Higher Education Postsecondary Accreditation and  
17 the United States Department of Education with a major in  
18 human nutrition, food and nutrition or its equivalent, as  
19 authorized by the Department, who is directly supervised by  
20 an individual licensed under this Act.

21 (l) Providing nutrition information as an employee of a  
22 nursing facility operated exclusively by and for those  
23 relying upon spiritual means through prayer alone for healing  
24 in accordance with the tenets and practices of a recognized  
25 church or religious denomination.

26 The provisions of this Act shall not be construed to  
27 prohibit or limit any person from the free dissemination of  
28 information, from conducting a class or seminar, or from  
29 giving a speech related to nutrition if that person does not  
30 hold himself or herself out as a licensed nutrition counselor  
31 or licensed dietitian in a manner prohibited by Section 15.

32 (Source: P.A. 87-784; 87-1000.)

33 (225 ILCS 30/30) (from Ch. 111, par. 8401-30)



1 (Section scheduled to be repealed on December 31, 2002)

2 Sec. 30. Practice Board. The Director shall appoint a  
3 Dietitian Nutritionist ~~Dietetic--and--Nutrition--Services~~  
4 Practice Board as follows: 7 ~~Seven~~ individuals who shall be  
5 appointed by and shall serve in an advisory capacity to the  
6 Director. Of these 7 individuals, 4 members must be licensed  
7 under this Act ~~and--currently--engaged--in--the--practice--of~~  
8 ~~dietetics--or--nutrition--services--in--the--State--of--Illinois--and~~  
9 ~~must--have--been--doing--so--for--a--minimum--of--3--years, 2--of--whom~~  
10 ~~shall--be--licensed--dietitians--who--are--not--also--licensed--as~~  
11 ~~nutrition--counselors--under--this--Act--and--2--of--whom--shall--be~~  
12 ~~licensed--nutrition--counselors--who--are--not--also--licensed~~  
13 ~~dietitians--under--this--Act;~~ one member must be a physician  
14 licensed to practice medicine in all of its branches; one  
15 member must be a licensed professional nurse; and one member  
16 must be a public member not licensed under this Act.

17 Members shall serve 3 year terms and until their  
18 successors are appointed and qualified, except the terms of  
19 the initial appointments. ~~The--initial--appointments--shall--be~~  
20 ~~served--as--follows:--2--members--shall--be--appointed--to--serve--for~~  
21 ~~one--year, 2--shall--be--appointed--to--serve--for--2--years,--and--the~~  
22 ~~remaining--members--shall--be--appointed--to--serve--for--3--years--and~~  
23 ~~until--their--successors--are--appointed--and--qualified.~~ No  
24 member shall be reappointed to the Board for a term that  
25 would cause his or her continuous service on the Board to be  
26 longer than 8 years. Appointments to fill vacancies shall be  
27 made in the same manner as original appointments, for the  
28 unexpired portion of the vacated term. Initial terms shall  
29 begin upon the effective date of this Act and Board members  
30 in office on that date shall be appointed to specific terms  
31 as indicated in this Section.

32 The membership of the Board shall reasonably represent  
33 all the geographic areas in this State. Any time there is a  
34 vacancy on the Board, any professional association composed

1 of persons licensed under this Act may recommend licensees to  
 2 fill the vacancy to the Board for the appointment of  
 3 licensees, the organization representing the largest number  
 4 of licensed physicians for the appointment of physicians to  
 5 the Board, and the organization representing the largest  
 6 number of licensed professional nurses for the appointment of  
 7 a nurse to the Board.

8 Members of the Board shall have no liability in any  
 9 action based upon any disciplinary proceeding or other  
 10 activity performed in good faith as members of the Board.

11 The Director shall have the authority to remove any  
 12 member of the Board from office for neglect of any duty  
 13 required by law or for incompetency or unprofessional or  
 14 dishonorable conduct.

15 The Director shall consider the recommendation of the  
 16 Board on questions of standards of professional conduct,  
 17 discipline, and qualifications of candidates or licensees  
 18 under this Act.

19 (Source: P.A. 87-784; 87-1000.)

20 (225 ILCS 30/40) (from Ch. 111, par. 8401-40)

21 (Section scheduled to be repealed on December 31, 2002)

22 Sec. 40. Examinations. The Department shall authorize  
 23 examinations of applicants for a license under this Act as  
 24 ~~dietitians-or-nutrition-counselors~~ at the times and places  
 25 that it may determine. The examination of applicants shall  
 26 be of a character to give a fair test of the qualifications  
 27 of the applicant to practice dietetics and nutrition  
 28 services. The Department or its designated testing service  
 29 shall provide initial screening to determine eligibility of  
 30 applicants for examination.

31 Applicants for examination ~~as--dietitians--or--nutrition~~  
 32 ~~counselors~~ shall be required to pay, either to the Department  
 33 or the designated testing service, a fee covering the cost of

1 providing the examination. Failure to appear for the  
2 examination on the scheduled date, at the time and place  
3 specified, after the applicant's application for examination  
4 has been received and acknowledged by the Department or the  
5 designated testing service, shall result in the forfeiture of  
6 the examination fee.

7 If an applicant neglects, fails, or refuses to take an  
8 examination or fails to pass an examination for a license  
9 under this Act within 3 years after filing an application,  
10 the application shall be denied. However, the applicant may  
11 thereafter make a new application accompanied by the required  
12 fee and shall meet the requirements for licensure in force at  
13 the time of making the new application.

14 The Department may employ consultants for the purpose of  
15 preparing and conducting examinations.

16 (Source: P.A. 87-784; 87-1000.)

17 (225 ILCS 30/45) (from Ch. 111, par. 8401-45)

18 (Section scheduled to be repealed on December 31, 2002)

19 Sec. 45. Dietitian nutritionist; qualifications. A  
20 person shall be qualified for licensure as a dietitian  
21 nutritionist if that person meets all of the following  
22 requirements:

23 (a) Has applied in writing in form and substance  
24 acceptable to the Department and possesses a baccalaureate  
25 degree or post baccalaureate degree in human nutrition, foods  
26 and nutrition, dietetics, food systems management, nutrition  
27 education, or an equivalent major course of study as  
28 recommended by the Board and approved by the Department from  
29 a school or program accredited at the time of graduation from  
30 the appropriate regional accrediting agency recognized by the  
31 Council on Higher Education Post-secondary Accreditation and  
32 the United States Department of Education.

33 (b) Has successfully completed the examination

1 authorized by the Department which may be or may include an  
2 examination given by the Commission on Dietetic Registration.

3 The Department shall establish by rule a waiver of the  
4 examination requirement to applicants who, at the time of  
5 application, are acknowledged to be registered dietitians by  
6 the Commission on Dietetic Registration and who are in  
7 compliance with other qualifications as included in the Act.

8 (c) Has completed a dietetic internship or documented,  
9 supervised practice experience in dietetics and nutrition  
10 services of not less than 900 hours under the supervision of  
11 a registered dietitian or a licensed dietitian nutritionist,  
12 a State licensed healthcare practitioner, or an individual  
13 with a doctoral degree conferred by a U.S. regionally  
14 accredited college or university with a major course of study  
15 in human nutrition, nutrition education, food and nutrition,  
16 dietetics or food systems management. Supervised practice  
17 experience must be completed in the United States or its  
18 territories. Supervisors who obtained their doctoral degree  
19 outside the United States and its territories must have their  
20 degrees validated as equivalent to the doctoral degree  
21 conferred by a U.S. regionally accredited college or  
22 university.

23 (Source: P.A. 87-784; 87-1000.)

24 (225 ILCS 30/56 new)

25 (Section scheduled to be repealed on January 1, 2013)

26 Sec. 56. Transition. Beginning November 1, 2003, the  
27 Department shall cease to issue a license as a dietitian or a  
28 nutrition counselor. Any person holding a valid license as a  
29 dietitian or nutrition counselor prior to November 1, 2003  
30 and having met the conditions for renewal of a license under  
31 Section 65 of this Act, shall be issued a license as a  
32 dietitian nutritionist under this Act and shall be subject to  
33 continued regulation by the Department under this Act. The

1 Department may adopt rules to implement this Section.

2 (225 ILCS 30/65) (from Ch. 111, par. 8401-65)

3 (Section scheduled to be repealed on December 31, 2002)

4 Sec. 65. Expiration and renewal dates. The expiration  
5 date and renewal period for each license issued under this  
6 Act shall be set by rule.

7 As a condition for renewal of a license that expires on  
8 October 31, 2003, a licensed nutrition counselor shall be  
9 required to complete and submit to the Department proof of 30  
10 hours of continuing education in dietetics or nutrition  
11 services during the 24 months preceding the expiration date  
12 of the license in accordance with rules established by the  
13 Department. A minimum of 24 hours of the required 30 hours  
14 of continuing education shall be in medical nutrition  
15 therapy, which shall include diet therapy, medical dietetics,  
16 clinical nutrition, or the equivalent, as provided by  
17 continuing education sponsors approved by the Department.  
18 The Department may adopt rules to implement this Section.

19 As a condition for renewal of a license, the licensee  
20 shall be required to complete 30 hours of continuing  
21 education in dietetics or nutrition services during the 24  
22 months preceding the expiration date of the license in  
23 accordance with rules established by the Department. The  
24 continuing education shall be in courses approved by the  
25 Commission on Dietetic Registration or in courses taken from  
26 a sponsor approved by the Department. A sponsor shall be  
27 required to file an application, meet the requirements set  
28 forth in the rules of the Department, and pay the appropriate  
29 fee. The requirements for continuing education may be waived,  
30 in whole or in part, in cases of extreme hardship as defined  
31 by rule of the Department. The Department shall provide an  
32 orderly process for the reinstatement of licenses that have  
33 not been renewed due to the failure to meet the continuing

1 education requirements of this Section.

2 Any person who has permitted his or her license to  
3 expire or who has had his or her license on inactive status  
4 may have the license restored by submitting an application to  
5 the Department, meeting continuing education requirements,  
6 and filing proof acceptable with the Department of fitness to  
7 have the license restored, which may include sworn evidence  
8 certifying to active practice in another jurisdiction  
9 satisfactory to the Department and by paying the required  
10 restoration fee.

11 If the person has not maintained an active practice in  
12 another jurisdiction satisfactory to the Department, the  
13 Department shall determine, by an evaluation program  
14 established by rule, his or her fitness to resume active  
15 status and may require the person to complete a period of  
16 evaluated professional experience and may require successful  
17 completion of a practical examination.

18 Any person, however, whose license expired while (i) in  
19 Federal Service on active duty with the Armed Forces of the  
20 United States, or called into service or training with the  
21 State Militia, or (ii) in training or education under the  
22 supervision of the United States preliminary to induction  
23 into the military service may have his or her license  
24 restored without paying any lapsed renewal fees if within 2  
25 years after honorable termination of the service, training,  
26 or education he or she furnishes the Department with  
27 satisfactory evidence to the effect that he or she has been  
28 so engaged and that the service, training or education has  
29 been terminated.

30 (Source: P.A. 87-784; 87-1000.)

31 (225 ILCS 30/70) (from Ch. 111, par. 8401-70)

32 (Section scheduled to be repealed on December 31, 2002)

33 Sec. 70. Inactive status; restoration. Any person who

1 notifies the Department in writing on forms prescribed by the  
2 Department may elect to place his or her license on an  
3 inactive status and shall, subject to rules of the  
4 Department, be excused from payment of renewal fees until he  
5 or she notifies the Department in writing of the desires to  
6 resume active status.

7 Any person requesting restoration from inactive status  
8 shall be required to pay the current renewal fee, shall meet  
9 continuing education requirements, and shall be required to  
10 restore his or her license as provided in Section 65 of this  
11 Act.

12 A person licensed under this Act ~~dietitian--or--nutrition~~  
13 ~~counselor~~ whose license is on inactive status or in a  
14 non-renewed status shall not engage in the practice of  
15 dietetics or nutrition services in the State of Illinois or  
16 use the title or advertise that he or she performs the  
17 services of a licensed dietitian nutritionist ~~or--nutrition~~  
18 ~~counselor~~.

19 Any person violating this Section shall be considered to  
20 be practicing without a license and will be subject to the  
21 disciplinary provisions of this Act.

22 (Source: P.A. 87-784; 87-1000.)

23 (225 ILCS 30/75) (from Ch. 111, par. 8401-75)

24 (Section scheduled to be repealed on December 31, 2002)

25 Sec. 75. Endorsement. The Department may license as a  
26 dietitian nutritionist ~~or--nutrition--counselor~~, without  
27 examination, on payment of required fee, an applicant who is  
28 a dietitian, dietitian nutritionist, nutritionist, or  
29 nutrition counselor licensed under the laws of another state,  
30 territory, or country, if the requirements for licensure in  
31 the state, territory, or country in which the applicant was  
32 licensed were, at the date of his or her licensure,  
33 substantially equal to the requirements of this Act.

1 (Source: P.A. 87-784; 87-1000.)

2 (225 ILCS 30/80) (from Ch. 111, par. 8401-80)

3 (Section scheduled to be repealed on December 31, 2002)

4 Sec. 80. Use of title; advertising. Only a person who is  
5 issued a license as a dietitian nutritionist under this Act  
6 may use the words "dietitian nutritionist", "dietitian",  
7 "nutritionist", or "nutrition counselor" or the letters  
8 "L.D.N." in connection with his or her name.

9 A person who meets the additional criteria for  
10 registration by the Commission on Dietetic Registration for  
11 the American Dietetic Association may assume or use the title  
12 or designation "Registered Dietitian" or "Registered  
13 Dietician" or use the letters "R.D." or any words, letters,  
14 abbreviations, or insignia indicating that the person is a  
15 registered dietitian.

16 Any person who meets the additional criteria for  
17 certification by the Clinical Nutrition Certification Board  
18 of the International and American Associations of Clinical  
19 Nutritionists may assume or use the title or designation  
20 "Certified Clinical Nutritionist" or use the letters "C.C.N."  
21 or any words, letters, abbreviations, or insignia indicating  
22 that the person is a certified clinical nutritionist.

23 Any person who meets the additional criteria for  
24 certification by the Certification Board of Nutrition  
25 Specialists may assume or use the title or designation  
26 "Certified Nutrition Specialist", or use the letters "C.N.S."  
27 or any words, letters, abbreviations, or insignia indicating  
28 that the person is a certified nutrition specialist.

29 A licensee shall include in every advertisement for  
30 services regulated under this Act his or her title as it  
31 appears on the license or the initials authorized under this  
32 Act.

33 {a)--Only-a-person-who-is-issued-a-license-as-a-dietitian



1 under this Act may use the words "licensed dietitian" or the  
 2 letters "L.D." in connection with his or her name. A person  
 3 who meets the additional criteria for registration by the  
 4 Commission on Dietetic Registration for the American Dietetic  
 5 Association may assume or use the title or designation  
 6 "Registered Dietitian" or "Registered Dietician", or use the  
 7 letters "R.D." or any words, letters, abbreviations, or  
 8 insignia indicating that the person is a registered  
 9 dietitian.

10 (b) Only a person who is issued a license as a nutrition  
 11 counselor under the terms of this Act may use the letters  
 12 "L.N.C." or the words "licensed nutrition counselor" in  
 13 connection with his or her name.

14 (c) A licensee shall include in every advertisement for  
 15 services regulated under this Act his or her title as it  
 16 appears on the license or the initials authorized under this  
 17 Act.

18 (Source: P.A. 91-310, eff. 1-1-00.)

19 (225 ILCS 30/95) (from Ch. 111, par. 8401-95)  
 20 (Section scheduled to be repealed on December 31, 2002)  
 21 Sec. 95. Grounds for discipline.

22 (1) The Department may refuse to issue or renew, or may  
 23 revoke, suspend, place on probation, reprimand, or take other  
 24 disciplinary action as the Department may deem proper,  
 25 including fines not to exceed \$1000 for each violation, with  
 26 regard to any license or certificate for any one or  
 27 combination of the following causes:

28 (a) Material misstatement in furnishing information  
 29 to the Department.

30 (b) Violations of this Act or its rules.

31 (c) Conviction of any crime under the laws of the  
 32 United States or any state or territory thereof that is

33 (i) a felony; (ii) a misdemeanor, an essential element of

1           which is dishonesty; or (iii) a crime that is directly  
2           related to the practice of the profession.

3           (d) Making any misrepresentation for the purpose of  
4           obtaining licensure or violating any provision of this  
5           Act.

6           (e) Professional incompetence or gross negligence.

7           (f) Malpractice.

8           (g) Aiding or assisting another person in violating  
9           any provision of this Act or its rules.

10          (h) Failing to provide information within 60 days  
11          in response to a written request made by the Department.

12          (i) Engaging in dishonorable, unethical or  
13          unprofessional conduct of a character likely to deceive,  
14          defraud, or harm the public.

15          (j) Habitual or excessive use or addiction to  
16          alcohol, narcotics, stimulants, or any other chemical  
17          agent or drug that results in the inability to practice  
18          with reasonable judgment, skill, or safety.

19          (k) Discipline by another state, territory, or  
20          country if at least one of the grounds for the discipline  
21          is the same or substantially equivalent to those set  
22          forth in this Act.

23          (l) Directly or indirectly giving to or receiving  
24          from any person, firm, corporation, partnership, or  
25          association any fee, commission, rebate, or other form of  
26          compensation for any professional services not actually  
27          or personally rendered.

28          (m) A finding by the Department that the licensee,  
29          after having his or her license placed on probationary  
30          status, has violated the terms of probation.

31          (n) Conviction by any court of competent  
32          jurisdiction, either within or outside this State, of any  
33          violation of any law governing the practice of dietetics  
34          or nutrition counseling, if the Department determines,

1 after investigation, that the person has not been  
2 sufficiently rehabilitated to warrant the public trust.

3 (o) A finding that licensure has been applied for  
4 or obtained by fraudulent means.

5 (p) Practicing or attempting to practice under a  
6 name other than the full name as shown on the license or  
7 any other legally authorized name.

8 (q) Gross and willful overcharging for professional  
9 services including filing statements for collection of  
10 fees or monies for which services are not rendered.

11 (r) Failure to (i) file a return, (ii) pay the tax,  
12 penalty or interest shown in a filed return, or (iii) pay  
13 any final assessment of tax, penalty or interest, as  
14 required by any tax Act administered by the Illinois  
15 Department of Revenue, until the requirements of any such  
16 tax Act are satisfied.

17 (s) Willfully failing to report an instance of  
18 suspected child abuse or neglect as required by the  
19 Abused and Neglected Child Reporting Act.

20 (2) In enforcing this Section, the Board, upon a showing  
21 of a possible violation, may compel a licensee or applicant  
22 to submit to a mental or physical examination, or both, as  
23 required by and at the expense of the Department. The  
24 examining physician shall be specifically designated by the  
25 Board. The Board or the Department may order the examining  
26 physician to present testimony concerning the mental or  
27 physical examination of a licensee or applicant. No  
28 information may be excluded by reason of any common law or  
29 statutory privilege relating to communications between a  
30 licensee or applicant and the examining physician. An  
31 individual to be examined may have, at his or her own  
32 expense, another physician of his or her choice present  
33 during all aspects of the examination. Failure of an  
34 individual to submit to a mental or physical examination,

1 when directed, is grounds for suspension of his or her  
2 license. The license must remain suspended until the time  
3 that the individual submits to the examination or the Board  
4 finds, after notice and a hearing, that the refusal to submit  
5 to the examination was with reasonable cause. If the Board  
6 finds that an individual is unable to practice because of the  
7 reasons set forth in this Section, the Board must require the  
8 individual to submit to care, counseling, or treatment by a  
9 physician approved by the Board, as a condition, term, or  
10 restriction for continued, reinstated, or renewed licensure  
11 to practice. In lieu of care, counseling, or treatment, the  
12 Board may recommend that the Department file a complaint to  
13 immediately suspend or revoke the license of the individual  
14 or otherwise discipline him or her. Any individual whose  
15 license was granted, continued, reinstated, or renewed  
16 subject to conditions, terms, or restrictions, as provided  
17 for in this Section, or any individual who was disciplined or  
18 placed on supervision pursuant to this Section must be  
19 referred to the Director for a determination as to whether  
20 the individual shall have his or her license suspended  
21 immediately, pending a hearing by the Board.

22       The Department shall deny any license or renewal under  
23 this Act to any person who has defaulted on an educational  
24 loan guaranteed by the Illinois Student Assistance  
25 Commission; however, the Department may issue a license or  
26 renewal if the person in default has established a  
27 satisfactory repayment record as determined by the Illinois  
28 Student Assistance Commission.

29       The determination by a circuit court that a registrant is  
30 subject to involuntary admission or judicial admission as  
31 provided in the Mental Health and Developmental Disabilities  
32 Code operates as an automatic suspension. This suspension  
33 will end only upon a finding by a court that the patient is  
34 no longer subject to involuntary admission or judicial

1 admission, the issuance of an order so finding and  
2 discharging the patient, and the recommendation of the Board  
3 to the Director that the registrant be allowed to resume  
4 practice.

5 (Source: P.A. 87-784; 87-1000.)

6 (225 ILCS 30/50 rep.)

7 (225 ILCS 30/60 rep.)

8 Section 90. The Dietetic and Nutrition Services Practice  
9 Act is amended by repealing Sections 50 and 60.

10 Section 99. Effective date. This Section, Section 5,  
11 and Sections 56 and 65 of the Dietetic and Nutrition Practice  
12 Act take effect upon becoming law. All of the other  
13 provisions take effect October 31, 2003.